

# SENATE BILL REPORT

## HB 2740

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As Reported By Senate Committee On:  
Labor, Commerce, Research & Development, February 28, 2008

**Title:** An act relating to private cemeteries.

**Brief Description:** Concerning private cemeteries.

**Sponsors:** Representatives Hudgins, Conway and Condotta.

**Brief History:** Passed House: 2/13/08, 96-0.

**Committee Activity:** Labor, Commerce, Research & Development: 2/28/08 [DPA].

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### SENATE COMMITTEE ON LABOR, COMMERCE, RESEARCH & DEVELOPMENT

**Majority Report:** Do pass as amended.

Signed by Senators Kohl-Welles, Chair; Keiser, Vice Chair; Holmquist, Ranking Minority Member; Franklin, King, Murray and Prentice.

**Staff:** Kathleen Buchli (786-7488)

**Background:** In 1943 the Legislature authorized corporations to operate private cemeteries in this state. These corporations may conduct any or all of the business of a cemetery and may be organized as a nonprofit corporation or a general corporation.

In 1994 the Legislature authorized the formation of Limited Liability Companies (LLC). An LLC must register with the Secretary of State and is formed by one or more individuals or entities through a special written agreement. The agreement details the organization of the LLC including provisions for management, assignability of interests, and distribution of profits or losses. LLCs may engage in any lawful, for profit business or activity other than banking or insurance.

**Summary of Bill (Recommended Amendments):** LLCs may own and operate cemeteries in the state.

**EFFECT OF CHANGES MADE BY LABOR, COMMERCE, RESEARCH & DEVELOPMENT COMMITTEE (Recommended Amendments):** Clarifying technical changes are made.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: Statutes relating to cemetery ownership were not updated when limited liability companies were created in statute in 1994. This is a technical fix and is a simple, straightforward bill.

**Persons Testifying:** PRO: Representative Hudgins, prime sponsor.

Signed in, Unable to Testify & Submitted Written Testimony: PRO: Kristen Michal, Washington2Advocates on behalf of StoneMor.